

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

IVAN ANTONYUK, COREY JOHNSON,
ALFRED TERRILLE, JOSEPH MANN,
LESLIE LEMAN, and LAWRENCE SLOANE,

Plaintiffs,

v.

KATHLEEN HOCHUL, in her Official Capacity as
Governor of the State of New York, KEVIN P. BRUEN, in
his Official Capacity as Superintendent of the New York
State Police, Judge MATTHEW J. DORAN, in his Official
Capacity as the Licensing-official of Onondaga County,
WILLIAM FITZPATRICK, in his Official Capacity as the
Onondaga County District Attorney, EUGENE CONWAY,
in his Official Capacity as the Sheriff of Onondaga County,
JOSEPH CECILE, in his Official Capacity as the Chief of
Police of Syracuse, P. DAVID SOARES in his Official
Capacity as the District Attorney of Albany County,
GREGORY OAKES, In his Official Capacity as the District
Attorney of Oswego County, DON HILTON, in his Official
Capacity as the Sheriff of Oswego County, and JOSEPH
STANZIONE, in his Official Capacity as the District
Attorney of Greene County,

Defendants.

Civil Action No.: 1:22-cv-986
(GTS/CFH)

ATTORNEY DECLARATION

TODD M. LONG, pursuant to Section 1746 of Title 28 of the United States Code, under the penalty
of perjury, to the best of my knowledge, declares:

1. I am an attorney duly admitted to practice in the United States District Court for the
Northern District of New York.

2. I am also a Senior Assistant Corporation Counsel for the City of Syracuse ("City")
and represent Defendant Chief of Police Joseph Cecile in his official capacity as Chief of Police
for the City of Syracuse Police Department ("Defendant Chief Cecile") in the above-entitled

action (“Action”). As such, I am sufficiently familiar with the facts and circumstances of this Action to make this Declaration.

3. All statements contained herein are true to the best of my knowledge and, where stated, upon information and belief, and are based upon personal knowledge, a review of documents/records, or communication with persons knowledgeable of the substance of the matters stated herein.

4. I make this Declaration on behalf of Defendant Chief Cecile and in Opposition to Plaintiffs’ Motion for a Preliminary Injunction¹ (“Motion”) pursuant to Federal Rule of Civil Procedure 65 (“Fed. R. Civ. P.”). *See* Dkt. No. 6.

5. Attached hereto as **Exhibit “1”** is a true and accurate copy of a “Property Description Report For: 201 Coleridge Ave, Municipality of City of Syracuse” that was accessed on, downloaded on, and printed as a *.PDF website on October 12, 2022 from the publicly available government website for “Property Assessment Information” from the Onondaga County Department of Finance, Office of Real Property Services (*see* <https://ocfintax.ongov.net/imate/search.aspx>) (“County Property Website”) for Tax ID 098.2-01-02.1. This Tax ID, to the best of my knowledge, is the parcel of the Rosamond Gifford Zoo.

6. Attached hereto as **Exhibit “2”** is a true and accurate redacted² copy of Tax Map

¹ Plaintiffs’ motion was for a “Plaintiffs’ Motion For A Temporary Restraining Order, Preliminary Injunction, and/or Permanent Injunction.” *See* Dkt. No. 6, p. 1. Having already been heard and decided by this Court on the Temporary Restraining Order (*see* the docket’s Text Minute Entry dated September 29, 2022), all that remains is a motion for preliminary injunction and permanent injunction. By text orders from this Court, what is before the Court on motion for the hearing on October 25, 2022, is just the Plaintiffs’ motion for a preliminary injunction. *See* Dkt. Nos. 8, 27, and Text Order dated October 12, 2022. Insofar as the Court converts Plaintiffs’ motion to one for a permanent injunction, counsel for Defendant Chief Cecile respectfully request leave from the Court to brief opposition to the motion as to any permanent injunction.

² Exhibit “2” was redacted to eliminate a term used in the map to describe the legal name of a parcel that is both insensitive and derogatory.

downloaded from the County Property Website on October 12, 2022, depicting Tax ID 098.2-01-02.1 (see <https://ocfintax.ongov.net/Imate/quickstream.aspx?file=PDFMAPS/311500/098002.pdf>).

7. Attached hereto as **Exhibit “3”** is a true and accurate copy of a printed *.PDF of the website of “Parks” from the Onondaga County Parks homepage, which is a publicly available government website (see <https://onondagacountyparks.com/parks/>), that was accessed and downloaded on October 12, 2022.

8. Attached hereto as **Exhibit “4”** is a true and accurate copy of a printed *.PDF of the website of the “Onondaga County Park Rangers Department” from the Onondaga County Parks homepage, which is a publicly available government website (see <https://onondagacountyparks.com/parks/>), that was accessed and downloaded on October 12, 2022.

9. Attached hereto as **Exhibit “5”** is a true and accurate copy of a snippet (using the “snipping tool”), saved as a *.PDF, taken on October 12, 2022, of the “Find Restaurant” section of the “Longhorn Steakhouse” website using as the search query “Syracuse, New York, United States.” See, generally, <https://www.longhornsteakhouse.com/locations/location-search>.

10. Attached hereto as **Exhibit “6”** is a true and accurate copy of a printed *.PDF that was accessed and downloaded on October 12, 2022, of a news article from Syracuse.com|Post Standard dated September 2, 2022, titled “Syracuse DA, police chief: We won’t target gun owners under new law, but will take guns.” The news article contains statements alleged to have been made by Defendant Chief Cecile. See <https://www.syracuse.com/crime/2022/09/syracuse-da-police-chief-we-wont-target-gun-owners-under-new-law-but-will-take-gun.html>.

11. Attached hereto as **Exhibit “7”** is a true and accurate copy of a *.PDF that was accessed and downloaded on October 13, 2022, of a portion of the City of Syracuse Zoning Map from the website maintained by the City of Syracuse website. See

<http://syrgov.net/uploadedFiles/Departments/Zoning/Content/Map05.pdf>. Exhibit “7” constitutes the relevant portion of the western edge of the City of Syracuse. The New York State Fairgrounds are further west of Exhibit “7.”

12. Plaintiff Corey Johnson asserts certain facts in his declaration concerning Bowman Lake State Park based on a website maintained by New York State. *See* Dkt. No. 1-3, n.1; <https://parks.ny.gov/parks/76/>. According to that website, titled “Bowman Lake State Park,” which I visited on October 13, 2022, the State Park is located in Oxford, New York.

13. Submitted along with the aforementioned seven exhibits, a Declaration of Julie LaFave has been offered in opposition to the Motion and is incorporated herein by reference.

14. Therefore, based upon this Attorney Declaration, the exhibit attached hereto, the Declaration of Julie LaFave, and the accompanying Memorandum of Law, Defendant Chief Cecile respectfully request that Plaintiffs’ motion for a preliminary injunction be denied, and for any further relief the Court may deem just and proper.

15. Pursuant to Section 1746 of Title 28 of the United States Code, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and, where stated, upon information and belief.

Executed on October 13, 2022
Syracuse, New York

/s/ Todd M. Long
Todd M. Long, Esq.
Senior Assistant Corporation Counsel
Bar Roll No.: 519301